

## REMARKS

The Final Office Action, mailed October 29, 2007, considered claims 1–42. Claims 1–42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ferguson et al., U.S. Patent Pub. No. 2002/0129054 (filed Aug. 14, 2001) (hereinafter Ferguson), in view of Khan, U.S. Patent Pub. No. 2002/0032611 (filed Mar. 5, 2001) (hereinafter Khan).<sup>1</sup>

By this response, claims 1 and 10 are amended such that claims 1–42 remain pending.<sup>2</sup> Claims 1, 10, 19, 25, 31, and 37 are independent claims which remain at issue. Support for the amendments may be found within Specification pp. 4, 11–12, and Fig's 5–14.<sup>3</sup>

As reflected in the claims, the present invention is directed generally toward enabling web views to be displayable within application dialog boxes thereby augmenting the functionality of the application. Claim 1 recites, for instance, in combination with all the elements of the claim, a method for a productivity application to access server-based functionality. The method includes sending a request to a server for information identifying the type of server being accessed and receiving a response from the server which includes information identifying the type of server. The method also includes determining, from the information identifying the type of server, that the server supports web view pages and the application sending an attribute to a server identifying a program function of the application. The application receives a response from the server, the response verifying that the server recognizes the attribute identifying the program function. Upon determining that the server supports a web view page for the particular application dialog box, a web view is received from the server and is displayed within a particular dialog box. User input is received for an element within the web view and the input is processed according to whether the element is to be processed by a browser module or by the application dialog box.

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<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> The amendments and remarks presented within this response are consistent with the information presented by telephone on Nov. 29, 2007 by patent attorney John Bacoach (reg. no. 59, 890) and attorney Thomas Bonacci.

<sup>3</sup> However, it should be noted that the present invention and claims as recited take support from the entire Specification. As such, no particular part of the Specification should be considered separately from the entirety of the Specification.

Claims 19 and 31 are a computer program product embodiment and a system embodiment, respectively, of the method recited in claim 1.

Claim 10 is a method, similar to that of claim 1, but recited from the perspective of the server (as in contrast to the perspective of the application). Claims 25 and 37 are a computer program product embodiment and a system embodiment, respectively, of the method recited in claim 10.

The office action rejected independent claim 1 under 35 U.S.C. § 103(a) as being unpatentable in view of Ferguson and Khan. The Applicants submit, however, that there are sufficient distinctions of the present invention over the combination of Ferguson and Khan as to render the claim allowable. Simply put, Ferguson extends application functionality by embedding network-enabled object and network-enabled code within documents which are opened by an application. In contrast, the present invention determines if a server supports or extends particular application functionality and, when so, exploits the server-based additional functionality.

In particular, the office action asserted that Ferguson reads upon "determining that the server supports a web view page for the particular application [dialog box]." <sup>4</sup> The office action characterizes the cited portions of Ferguson as "the spreadsheet of the productivity application receives a web view page, i.e. network/internet based operation/functionality/web pages from the server upon determination that the network/internet functionalities are supported." <sup>5</sup> Applicants submit that this is an incorrect characterization of Ferguson and that Ferguson fails to teach or suggest the relevant claim elements. In Ferguson, the network-enabling objects and network-enabling code are contained within the spreadsheet document. <sup>6</sup> In the present invention it is determined by the application if the server supports particular functionality. In Ferguson, a document must be opened and inspected to determine if network-enabling code is present within the document. <sup>7</sup> In the present invention, the application sends requests to the server to determine if the server supports particular functionality of particular application dialog boxes. The Applicants submit that this, *inter alia*, distinguishes the present invention over that disclosed by Ferguson and such distinction is contained within the recited elements of the claim.

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<sup>4</sup> Office Comm. p. 3.

<sup>5</sup> Office Comm. p. 3.

<sup>6</sup> Ferguson p. 15, ¶¶ 0149-0150.

<sup>7</sup> See Ferguson p. 15, ¶¶ 0149-0150.

The office action asserts that Ferguson p. 15, ¶¶ 0149-0150, reads upon "determining when the element is to be processed by a browser module and when the element is to be processed by the application object." The Applicants submit that this is an incorrect characterization of Ferguson. In the cited portion of Ferguson, it is clear that a *document* is inspected by the application for network-enabling objects.<sup>8</sup> If "network-enabling objects and the network-enabling code therein" are found within the opened document, then a "productivity application extender" locates the code within the document and the "system initializes and launches the . . . network-based functionality in accordance with the . . . instructions provided in the network-enabling code."<sup>9</sup> In this system of Ferguson, the additional functionality comes from objects embedded within the document.

It seems clear from Ferguson ¶¶ 0149-0150, as discussed above, that the network-enabling code of Ferguson is *contained within the document* which is being opened and the additional functionality for the application is gained by *inspecting the document* and extracting and executing the embedded code. In the present invention, in contrast, the application does not inspect a document but sends a request to a server to determine the type of the server and to determine if the server supports a program function of the application. This is a distinction of the present invention over Ferguson and this distinction is recited within the elements of the claims. The Applicants submit that these distinctions, inter alia, are sufficient to render the claim allowable in view of Ferguson and Khan.<sup>10</sup>

The noted distinctions notwithstanding, however, the Applicants have amended claim 1 to more particularly point out the communication between the application and the server to determine if the server supports the application and to more particularly point out the distinctions over the teachings of Ferguson.

In particular, Ferguson and Khan, both separately and in combination, fail to teach or suggest a dialog object sending a request to a server for information identifying the type of server being accessed. Ferguson and Khan, both separately and in combination, fail to teach or suggest the dialog object receiving a response from the server, the response comprising information identifying the type of server. Ferguson and Khan, both separately and in combination, fail to

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<sup>8</sup> See Ferguson p. 15, ¶ 0149.

<sup>9</sup> Ferguson p. 15, ¶ 0150.

<sup>10</sup> The Applicants further note and reiterate the distinctions noted by the previous responses.

teach or suggest determining, from the information identifying the type of server, that the server supports web view pages. Ferguson and Khan, both separately and in combination, fail to teach or suggest the application sending an attribute to a server, the attribute identifying a program function of the application. Ferguson and Khan, both separately and in combination, fail to teach or suggest the application receiving a response from the server, the response verifying that the server recognizes the attribute identifying the program function. Ferguson and Khan, both separately and in combination, fail to teach or suggest the application determining if the server supports a web view page for a particular application dialog box, the determination being made by recognition of an attribute by the server.

Because of at least the distinctions noted above, the Applicants submit that Ferguson and Khan, both separately and in combination, fail to teach or suggest all the limitations of claim 1 and so a rejection under 35 U.S.C. § 103(a) would be improper and should be withdrawn. Accordingly, the Applicants respectfully request favorable reconsideration of claim 1.

Claims 19 and 31 are a computer program product embodiment of claim 1 and a system embodiment of the method of claim 1, respectively, and therefore the above discussion applies equally to those claims. Correspondingly, the Applicants submit that Ferguson and Khan, both separately and in combination, fail to teach or suggest all the limitations of claims 19 and 31 and so rejections under 35 U.S.C. § 103(a) of those claims would be improper and should be withdrawn. Accordingly, the Applicants respectfully request favorable reconsideration of claims 19 and 31.

Independent claims 10, 25, and 37 recite a method, computer program product, and system, respectively, similar to claims 1, 19, and 31, but recited from the perspective of the server (in contrast to the application). These claims were also rejected under 35 U.S.C. § 103(a) in view of Ferguson and Khan using similar rationale and citations as the rejections of claims 1, 19, and 31.<sup>11</sup> Notably, the rejections relied at least in part on citation to Ferguson p. 15, ¶¶ 0149-0150, as discussed above, which discloses that the additional functionality and network-enabled code of Ferguson is embedded in a document but not obtained through inquiry and request of a server, as in the present invention. Accordingly, the above discussion also applies to claims 10, 25, and 37.

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<sup>11</sup> Office Comm. pp. 2, 4-6.

The noted distinctions notwithstanding, claim 10 has been amended to more particularly point out the distinctions over Ferguson. In particular, Ferguson and Khan, both separately and in combination, fail to teach or suggest receiving by a server a request from an application for information identifying the type of server being accessed. Ferguson and Khan, both separately and in combination, fail to teach or suggest sending a response from the server to the application, the response comprising information identifying the type of server. Ferguson and Khan, both separately and in combination, fail to teach or suggest receiving by a server a request from an application corresponding to a particular application dialog box, the request comprising a unique attribute identifying an application program function.

Because of at least the noted distinctions, Ferguson and Khan, both separately and in combination, fail to teach or suggest all the limitations of claims 10, 25, and 37 and therefore rejections under 35 U.S.C. § 103(a) would be improper and should be withdrawn. Correspondingly, the Applicants respectfully request favorable reconsideration of claims 10, 25, and 37.

In view of the foregoing, Applicants respectfully submit that the other rejections to the remaining dependent claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicants acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicants reserve the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicants specifically request that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 29<sup>th</sup> day of January, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rick D. Nydegger", written in a cursive style.

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